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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,290	02/12/2004	Jean-Luc Soupizon	248848US6	3501
22850	7590	09/09/2005		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER VERDIER, CHRISTOPHER M	
			ART UNIT 3745	PAPER NUMBER

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/776,290

Applicant(s)

SOUPIZON ET AL.

Examiner

Christopher Verdier

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3745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-10, 13-17 and 19 is/are allowed.
- 6) ☒ Claim(s) 1-3, 11 and 12 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 18 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Applicant's Amendment dated June 24, 2005 has been carefully considered but is non-persuasive. Claims 1-20 are pending. The abstract has been amended to correct the informalities set forth in the first Office action. The correction to the specification on page 1, line 1 is appreciated, but the specification still contains the informality set forth later below. The claims have been amended to overcome the claim objections and the rejections under 35 USC 112, second paragraph set forth in the first Office action. Correction of the above matters is noted with appreciation.

Applicants' arguments that amended claim 3 defines over Partington 4,460,316 are persuasive. However, claim 3 is subject to the rejection set forth later below. Applicants' arguments that amended claims 1 and 6, and new claims 11 and 13 define over the combination of Partington 4,460,316 and Carta 3,400,912, are persuasive. However, amended claims 1-2 and 11-12 are indefinite as set forth later below.

Specification

The disclosure is objected to because of the following informality: Appropriate correction is required.

On page 1, line 1, "Title of the invention" should be deleted.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-2 and 11-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1, line 11 has been amended to recite “connecting the blade inserts to the or each rotor of the or each moving wheel”. This amendment to claim 1, line 11 brings the number of “or” and “and/or” clauses to five (note lines 3, 8, and 13, which contain these clauses). The large number of “or” and “and/or” clauses renders claims 1-2 indefinite, because it is unclear as to just what permutations are included. Claim 11 contains seven occurrences of the clauses “or” and “and/or” (note lines 3, 4, 7, 10, 11, and 13). The large number of “or” and “and/or” clauses renders claims 11-12 indefinite, because it is unclear as to just what permutations are included.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gee 3,952,391 in view of either (Flanders 2,277,484 or Japanese Patent 59-5806). Gee discloses a method of adjusting the resonant frequency of a moving blade insert 102 for a turbomachine having a rotor 90 and plural blade inserts 102 connected thereto, with the insert having a blade 104 interconnected by inner and outer platforms 108, 106 and having a root 110, the method comprising forming a recess 122 in the insert root, the recess remaining free after connection of the insert to the rotor, and adjusting the resonant frequency of the insert via electrochemical machining (see column 5, lines 15-33), which adjusts the configuration of the free recess.

However, Gee does not disclose that two blades are interconnected by the inner and outer platforms which share a common root.

Flanders shows a turbine blade construction where two blades 16, 16 are interconnected by an outer platform 24 which share a common root 17, for the purpose of providing increased strength and reduced stress for the turbine blade, and reducing the number of blade roots required. Japanese Patent 59-5806 (figures 3-4) shows a turbine blade construction where two blades 12, 12 are interconnected by an inner platform 11 which share a common root 15, for the purpose of providing increased strength and reduced stress for the turbine blade, and reducing the number of blade roots required.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to form the moving blade insert of Gee such that it has two blades that are interconnected by the inner and outer platforms which share a common root, as taught by either Flanders or Japanese Patent 59-5806, for the purpose of providing increased strength and reduced stress for the turbine blade, and reducing the number of blade roots required.

Allowable Subject Matter

Claims 6-10, 13-17, and 19 are allowed.

Claims 4-5, 18, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1 and 11 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claims 2 and 12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

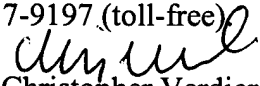
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Verdier whose telephone number is (571) 272-4824. The examiner can normally be reached on Monday-Friday from 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward K. Look can be reached on (571) 272-4820. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.V.
September 1, 2005


Christopher Verdier
Primary Examiner
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